

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**CHRISTOPHER FERGUSON,  
individually and on behalf of others  
similarly situated**

**Plaintiffs,**

**v.**

**TEXAS FARM BUREAU BUSINESS  
CORPORATION, TEXAS FARM  
BUREAU CASUALTY INSURANCE  
COMPANY, TEXAS FARM BUREAU  
MUTUAL INSURANCE COMPANY,  
TEXAS FARM BUREAU  
UNDERWRITERS,  
FARM BUREAU COUNTY MUTUAL  
INSURANCE COMPANY OF TEXAS,  
SOUTHERN FARM BUREAU LIFE,  
INSURANCE COMPANY, and  
TEXAS FARM BUREAU,**

**Defendants.**

**CIVIL ACTION NO. 6:17-CV-00111**

**ORDER ON PLAINTIFFS' MOTIONS IN LIMINE REQUESTS (ECF No. 491)**

<b>REQUEST No.</b>	<b>LIMINE REQUEST</b>	<b>GRANTED</b>	<b>DENIED</b>	<b>AGREED</b>
1	Any argument, reference, or evidence that Plaintiffs believed, intended, or agreed to be an independent contractor.		<b>X</b>	
2	Any argument, reference, or evidence of Plaintiffs' income.	<b>GRANTED</b> as to total income during a calendar year.	<b>DENIED</b> as to commissions, expenses, and similar items.	
3	Any argument, reference, or evidence that Plaintiffs were classified as an independent contractor under standards other than the FLSA standard, such as IRS standards on federal tax forms.		<b>X</b>	

REQUEST No.	LIMINE REQUEST	GRANTED	DENIED	AGREED
4	Any argument, reference, or evidence that Plaintiffs had a duty to keep records of their hours worked.	<b>GRANTED</b> as to legal duty in that Defendants shall refrain from asking questions that state or imply that that Plaintiffs had a <i>legal duty</i> to keep records of their hours worked.	<b>DENIED</b> as to the fact of whether Plaintiffs kept such records.	
5	Any argument, reference, or evidence that Plaintiffs had a duty to notify, or failed to notify, Defendants they were working overtime.		<b>X</b>	
6	Any argument, reference, or evidence that any workday was interrupted by non-work- related activity.		<b>X</b>	
7	Any argument, reference, or evidence of any social media posts by Plaintiffs unrelated to their work at Farm Bureau.		<b>X</b>	
8	Any reference or argument that Plaintiffs did not work more than forty hours in a workweek based on information or evidence other than what was disclosed in Farm Bureau's Rule 30(b)(6) testimony.		<b>X</b>	
9	Any argument, reference, or evidence of off-color, embarrassing, or otherwise non-work related emails, text messages, or other communications.		<b>X</b>	
10	Any argument, reference, or evidence of off-color, embarrassing, or otherwise non-work related events or personal affairs.		<b>X</b>	
11	Any reference or argument regarding counsel's experience litigating or handling FLSA cases or any other cases.			<b>X</b>

REQUEST No.	LIMINE REQUEST	GRANTED	DENIED	AGREED
12	Any argument, reference, or evidence that Plaintiffs were in any way unfaithful or disloyal to Farm Bureau.		X	

SIGNED this 20<sup>th</sup> day of August 2024.

  
HONORABLE DEREK GILLILAND  
United States Magistrate Judge